

UNCLASSIFIED

Department of State

INCOMING
TELEGRAM

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ACTION 08-05

BUENOS 04370 01 OF 02 081247Z

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BUENOS 04370 01 OF 02 081247Z

INFO OCT-01 ARA-16 10-13 150-00 L-03 CIAE-00 INR-10
NSAE-00 INSE-02 ICA-11 EUR-12 SP-02 /067 W

-----113321 081332Z /46

P R 081210Z JUN 78
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC PRIORITY 6801
INFO AMEMBASSY BONN
AMEMBASSY SANTIAGO
USMISSION GENEVA

SECTION 1 OF 2 BUENOS AIRES 4370

E.O. 11652: GDS
TAGS: SREF, SHUP, AF
SUBJECT: ICEM REJECTED BY GOA

REF: (A) BUENOS AIRES 4003 (B) BUENOS AIRES 3727
(C) GENEVA 0364 (D) STATE 136035 (E) SANTIAGO 4237

SUMMARY: FOREIGN MINISTRY OFFICIAL FIRMLY REJECTED
ICEM PARTICIPATION IN RIGHT OF OPTION PROGRAM. GOA
IS SLOWLY COMING TO GRIPS WITH THE HEAVY BURDEN OF
UNCHARGED PEN DETAINEEES. THE AMBASSADOR HAS
HIGH-LEVEL INDICATIONS THAT SIGNIFICANT NUMBERS OF
PEN CASES WILL BE RESOLVED AT AN INCREASING PACE IN
THE UPCOMING MONTH. HOW MANY RELEASES WILL BE EFFECTED
THROUGH THE RIGHT OF OPTION PROCEDURE REMAINS UNCLEAR.
END SUMMARY.

1. ICEM OFFICIAL ROBERTO KOZAK WAS IN BUENOS AIRES
JUNE 1-3 TO DISCUSS WITH ARGENTINE OFFICIALS THE
POSSIBILITY OF ICEM PARTICIPATION IN RIGHT OF
OPTION PROGRAM. KOZAK, AN ARGENTINE CITIZEN,
DETERMINED HE WOULD FIRST PRESENT HIMSELF TO
THE FOREIGN MINISTRY AND SEE IF THE FOREIGN
MINISTRY WOULD ARRANGE SUBSEQUENT APPOINTMENTS
WITH PERTINENT INTERIOR MINISTRY OFFICIALS.
(AS REPORTED IN REFTEL 4, THE US PLUS EIGHT
OTHER WESTERN EMBASSIES MET WITH MIN INT OFFICIAL
COL. SAN ROMAN TO REQUEST ICEM PARTICIPATION.
SAN ROMAN SAID THAT GOA WAS IN PRINCIPLE OPPOSED TO ICEM,
BUT AGREED TO SPEAK WITH AN ICEM REPRESENTATIVE).

2. AT THE FOREIGN MINISTRY JUNE 2, KOZAK MET
WITH THE STRONG-WILLED HEAD OF THE HUMAN RIGHTS
WORKING GROUP MINISTER JUAN CARLOS ARLIA.
ACCORDING TO KOZAK, ARLIA RECEIVED HIM GRACIOUSLY,
BUT DECLARED THAT GOA WAS FIRMLY OPPOSED TO ICEM
PARTICIPATION IN THE OPTION PROGRAM. ARLIA SAID THAT
HE KNEW THE USG AND US EMBASSY HAD PUT KOZAK
UP TO PUSHING ICEM, BUT THAT GOA HAD ALREADY
INFORMED THE AMERICAN AMBASSADOR BY LETTER OF ITS
DECISION AGAINST ICEM PARTICIPATION. (MININT
HARGUINDEGUY'S MAY 3 LETTER TO AMBASSADOR CASTRO
WAS VAGUE AND REFERRED ONLY TO THE UNHCR. ICEM
WAS NOT MENTIONED IN THE LETTER. SEE REF B.)
ARLIA SAID GOA'S DECISION HAD ALSO BEEN COMMUNICATED
DIRECTLY TO LOCAL ICEM DIRECTOR ROMAGNOLI
IN BUENOS AIRES BY A MININT DEPUTY MINISTER AND
GAIN DIRECTLY TO ICEM HEADQUARTERS IN GENEVA
BY ARGENTINE AMBASSADOR MARTINEZ, CURRENTLY
PARTICIPATING IN TALKS AT THE ILO. GOA HAD
MADE ITS NEGATIVE DECISION VERY CLEAR AND THERE SHOULD
BE NO MORE REASON FOR KOZAK OR THE USG TO PUSH THE MATTER
FURTHER. ARLIA THEN TOLD KOZAK HE WAS WELCOME TO DISCUSS
THE ISSUE AT THE INTERIOR MINISTRY IF HE WISHED BUT THAT
DECISION HAD ALREADY BEEN MADE AT THE TOP LEVELS OF
GOVERNMENT AND WAS FIRM.

3. AT SUBSEQUENT DEBRIEFING WITH EMBASSY, KOZAK
DECIDED TO TRY TO SEE COL. SAN ROMAN ON HIS OWN
TO INTRODUCE HIMSELF AND EXPLAIN ICEM'S ROLE AS
A SERVICE ORGANIZATION. HE HAD IN HAND AN ICEM
CABLE INDICATING THAT THE FEDERAL GERMAN GOVERNMENT
HAD REQUESTED ICEM ASSISTANCE IN THE RESETTLEMENT OF
144 QUALIFIED OPTION CASES IN THE FRG. (SEE REF C.) KOZAK
SAID HE MIGHT RAISE THE GERMAN REQUEST WITH SAN ROMAN TO SHOW
HOW EUROPEAN GOVERNMENTS WERE REQUESTING ICEM ASSISTANCE
AND TO MAKE THE POINT THAT ICEM WISHED TO BE HELPFUL
BUT WOULD ONLY ACT WITH GOA APPROVAL. KOZAK WAS UNABLE
TO ARRANGE MEETING WITH SAN ROMAN AND DEPARTED BUENOS
AIRES ON JUNE 3.

4. KOZAK TOLD EMBASSY HE BELIEVED GOA POSITION
WAS SUFFICIENTLY CLEAR TO PRECLUDE FURTHER ICEM
APPROACHES AT PRESENT. HE SUGGESTED THAT IN THE
VERY NEAR FUTURE INTERESTED WESTERN EMBASSIES SHOULD
PREPARE A JOINT WRITTEN APPEAL FOR ICEM PARTICIPATION
TO BE PRESENTED AT HIGHEST LEVELS OF GOVERNMENT IN ORDER
TO TRY TO GET GOA TO RECONSIDER ICEM. EMBASSY AGREED TO
KEEP IN TOUCH WITH OTHER INTERESTED EMBASSIES AND JOINTLY
CONSIDER FUTURE STEPS.

5. COMMENT: FURTHER PRESSURE ON GOA REGARDING THE ICEM
QUESTION WOULD APPEAR TO BE UNADVANTAGEOUS AT THIS POINT.
EMBASSY BELIEVES THAT THE GERMAN REQUEST AND PERHAPS FUTURE
EUROPEAN APPEALS FOR ICEM ASSISTANCE MIGHT PROVIDE A FUTURE
OPENING TO REVIEW GOA'S DECISION CONCERNING ICEM. WE
STRONGLY FEEL THAT OTHER WESTERN COUNTRIES SHOULD JOIN US
AS EQUAL PARTISANS IN REOPENING THE ISSUE. EMBASSY WILL
CONTINUE PERIODICALLY TO "TAKE THE TEMPERATURE" OF GOA
SENTIMENT ON ICEM IN OUR INFORMAL TALKS
WITH GOA OFFICIALS. WE WILL ALSO MAINTAIN

BEST COPY AVAILABLE

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

(X) Release () Excise () Deny

Exemption(s):

Declassify: () In Part (X) In Full

() Classify as () Extend as () Downgrade to

Date Declassify on Reason

Judy -
action is HA;
are you doing
this?

RC

Return RC
6.14.78

Roberta: yes - we are
doing this - I don't accept
Arli as final word - for GOI

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Lot 81D208
Box4963 (2/12)

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INFO OCT-01 LARA-12 10-13 ISO-00 L-03 CIAE-00 INR-10
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P R 081210Z JUN 78
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC PRIORITY 6802
INFO AMEMBASSY BONN
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USMISSION GENEVA

SECTION 2 OF 2 BUENOS AIRES 4370

CONTACTS WITH OTHER INTERESTED EMBASSIES AND SEEK TO
STREAMLINE AND COORDINATE OUR RIGHT OF OPTION INFORMATION.

6. FYI: TO DATE, RELEASES FROM PEN HAVE PROCEEDED STEADILY
BUT SLOWLY. SINCE LAST CHRISTMAS 49 PERSONS HAVE BEEN
REPORTED IN THE PRESS AS AUTHORIZED TO LEAVE THE COUNTRY
UNDER THE REVISED RIGHT OF OPTION PROCEDURE. THE AMBASSADOR
HAD RECEIVED HIGH-LEVEL INDICATIONS THAT THE PACE OF
RELEASES OF DETAINEES FROM PEN STATUS WILL INCREASE IN THE
UPCOMING MONTHS, PARTICULARLY ONCE THE WORLD CUP GAMES
ARE OVER.

7. RELEASE FROM PEN CAN TAKE SEVERAL FORMS: THE DETAINEE
CAN BE REMANDED TO THE COURTS FOR TRIAL, PLACED UNDER HOUSE
ARREST OR IN PAROLE STATUS, GRANTED AUTHORIZATION TO LEAVE
THE COUNTRY UNDER THE RIGHT OF OPTION, OR RELEASED STRAIGHT.
AS WE CANNOT PREDICT HOW UPCOMING PEN RELEASES WILL BE
EFFECTED, WE CANNOT ESTIMATE HOW MANY PERSONS MIGHT EVENTUALLY
BE AUTHORIZED TO LEAVE UNDER THE RIGHT OF OPTION PROGRAM.
THE MECHANISMS FOR GRANTING THE OPTION ARE COMPLEX AND
AND, AS HAS BEEN REPORTED EARLIER, APPROVAL MUST BE GRANTED
BY A NUMBER OF AUTHORITIES, INCLUDING CORPS COMMANDERS,
WHO MAY NOT OR WILL NOT APPRECIATE THE POLITICAL
IMPORTANCE OF RESOLVING PEN CASES.

8. HESITATION TO SYSTEMATIC RELEASES OF SIGNIFICANT
NUMBERS OF PEN DETAINEES UNDER RIGHT OF OPTION DERIVE
FROM A CERTAIN FEAR OF REPEATING WHAT OFFICIALS PERCEIVE
AS THE ERRORS OF THE PAST, WHEN PEN DETAINEES IN 1973-
1976 WERE AUTOMATICALLY GRANTED THE OPTION TO LEAVE THE
COUNTRY AND MANY FILTERED BACK INTO THE SUBVERSIVE MOVEMENT
IN ARGENTINA. ANOTHER REASON IS GOA'S CITED FEAR OF
RELEASED PERSONS WHO THEY BELIEVE WILL JOIN IN AN OVERSEAS
SHEEP CAMPAIN AGAINST ARGENTINA. A THIRD IS A STRONG
FEELING, MAINLY AMONG THOSE ENGAGED IN THE ANTI-SUBVERSIVE
BATTLE, THAT THE DETAINEES WERE CAPTURED AT GREAT COST
AND THEY SHOULD SIMPLY NOT BE ALLOWED TO GO FREE AS LONG
AS TERRORISM EXISTS EITHER WITHIN OR OUTSIDE ARGENTINA.
ONE THEORY IS THAT PEN CASES WOULD BE BEST RESOLVED WITH
RELEASES OR TRANSFER OF LEGAL STATUS WITHIN ARGENTINA, SO
AS NOT TO HAVE IMPRESCINDIBLE AND/OR DANGEROUS RIGHT OF
OPTION EXILED GROUPS ESCAPE BEYOND GOA CONTROL OR VIGILANCE.

9. THERE ARE PEOPLE WITHIN THE ARGENTINE GOVERNMENT WHO
BELIEVE THAT MANY OF THOSE HELD UNDER PEN WITHOUT CHARGE
WERE ONLY marginally INVOLVED IN SUBVERSIVE ACTIVITIES
AND SHOULD BE FREED UNCONDITIONALLY. HOW SUCCESSFUL
THESE ELEMENTS WILL BE IN PERSUADING THOSE WHO HAVE THE
REAL POWER TO RELEASE OR IMPRISON PERSONS UNDER PEN--
THE CORPS COMMANDERS, OTHER POWERFUL MILITARY AND POLICE
OFFICIALS WHO HAVE A SAY IN THE PROCESS--TO LET GO WILL
DETERMINE THE SPEED WITH WHICH THE PEN CASES WILL BE
RESOLVED. IN THE UPCOMING MONTHS, WE WILL BE ABLE
TO SEE WHETHER THE HIGH-LEVEL ASSURANCES GIVEN THE AMBASSADOR
AND THE MID-LEVEL OFFICIALS STATED DESIRE TO FIND
WAYS TO REDUCE THE PEN POPULATION IN FACT TAKE HOLD.

10. IN THE MEANTIME, THE EMBASSY WILL CONTINUE TO
PROCESS RIGHT OF OPTION CASES ON A CASE BY CASE BASIS
AND ADD WHAT PERSUASIVE POWERS IT CAN TO STIMULATE GOA
TO COME TO GRIPS WITH ITS HEAVY BURDEN OF UNRESOLVED PEN
CASES.

11. EMBASSY PERCEIVES NO OBJECTION TO KOCAN VISIT TO
WASHINGTON (REFS D AND E) BUT OBSERVES THAT GOA HAS LEFT
LITTLE ROOM FOR MISUNDERSTANDING IN ITS PRESENT DECISION
ON ICEN.
CASTRO